

HOUSE BILL REPORT

HB 1010

As Reported by House Committee On:
Business & Financial Services

Title: An act relating to antifreeze products.

Brief Description: Concerning antifreeze products.

Sponsors: Representatives Appleton, Hunt and Haigh.

Brief History:

Committee Activity:

Business & Financial Services: 1/16/13, 1/23/13 [DPS].

Brief Summary of Substitute Bill

- Requires that an aversive agent be added to engine coolant and antifreeze in wholesale containers of 55 gallons or more, which are exempt from the requirement under current law.
- Exempts from the aversive agent requirement spent engine coolant or spent antifreeze being stored or transported for disposal.

HOUSE COMMITTEE ON BUSINESS & FINANCIAL SERVICES

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake, Habib, Hawkins, Hudgins, Hurst, Kochmar, MacEwen, O'Ban, Santos and Stanford.

Staff: Sara Campbell (783-7119) and Alexa Silver (786-7190).

Background:

Engine coolant and antifreeze manufactured or distributed in Washington that contain more than 10 percent ethylene glycol must contain denatonium benzoate as an aversive agent to render it unpalatable to humans and animals. The necessary amount of the aversive agent is specified in the statute. This requirement applies to manufacturers, packagers, distributors,

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recyclers, and sellers of engine coolant or antifreeze, but does not apply to wholesale containers of 55 gallons or more of engine coolant or antifreeze.

Manufacturers, packagers, distributors, recyclers, and sellers are not liable for injury caused by inclusion of the aversive agent.

A manufacturer who is subject to the aversive agent requirement must maintain a record of the trade name, scientific name, and active ingredients of any aversive used and must make this information available to the public upon request.

The Department of Agriculture Weights and Measures Program and city sealers have authority to enforce these requirements.

Summary of Substitute Bill:

Eliminates the exemption of wholesale containers of engine coolant or antifreeze of 55 gallons or more from the aversive agent additive requirement.

Creates an exemption from the aversive agent additive requirement for spent antifreeze or spent engine coolant being stored or transported for disposal in accordance with the applicable hazardous waste management laws.

Substitute Bill Compared to Original Bill:

The substitute bill creates an exemption from the aversive agent additive requirement for spent antifreeze or spent engine coolant being stored or transported for disposal.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The aversive agent requirement in antifreeze and engine coolant protects animals and children because it renders the antifreeze and coolant unpalatable. At Hurricane Ridge the park staff have to wash down the parking lot to keep the deer from being attracted to, and ingesting, antifreeze from the parking lot surface.

(In support with concerns) The aversive agent requirement supports the protection of human health and the health of companion animals and wildlife. Some companies that accumulate

spent coolant and antifreeze may have concerns with the aversive agent requirement and should be exempted from the requirement.

(With concerns) Vehicle recyclers collect used antifreeze and coolant from end-of-life vehicles. They then store it in commercially viable quantities and later sell it to an antifreeze recycler who recycles it. The bill would impose the aversive agent requirement on this spent antifreeze collected by vehicle recyclers. Instead the bill should exempt vehicle recyclers from the aversive agent requirement.

(Opposed) None.

Persons Testifying: (In support) Representative Appleton, prime sponsor.

(In support with concerns) Rick Hall, Washington Alliance for Humane Legislation.

(With concerns) Gary Smith, Independent Business Association.

Persons Signed In To Testify But Not Testifying: None.